REMARKS

Claims 1-6 presently appear in this case. No claims have yet been acted upon on the merits. Claims 1-6 have been subjected to a restriction requirement. Reconsideration and withdrawal of this restriction requirement and action on the merits as to all of the claims now present in the case is hereby respectfully urged.

The examiner states that the present application contains two groups of invention which are not so linked as to form a general inventive concept under PCT Rule 13.1, i.e.:

Group I, including claims 1, 5 and 6, drawn to biologically active glycosylated human tumor necrosis factor, pharmaceutical composition and method; and

Group II, including claims 2-4, drawn to a method of producing the glycosylated human tumor necrosis factor.

The examiner states that the inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because they lack the same or corresponding special technical features. The examiner states that the groups are directed to non-equivalent types of methods and/or compositions as they are each directed to different compounds and/or methods. This unity of invention requirement is hereby respectfully traversed.

Claim 2 has now been amended in order to specify that the method of claim 2 is for preparing isolated biologically active glycosylated human tumor necrosis factor,

i.e., a method for the preparation of the compound of claim 1. It is apparent that the examiner believed that the two groups lacked a special technical feature because claim 2 did not specify that the TNF was biologically active. As claim 2 now uses the same language as claim 1, it is apparent that it is a method of making the product of claim 1 and, therefore, must be considered to have unity of invention in accordance with 37 C.F.R. §1.475(b)(1) and (3). Reconsideration and withdrawal of this restriction requirement and examination of all the claims on the merits are, therefore, respectfully urged.

In order to be responsive, however, applicants hereby elect, with traverse, the claims of Group I.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made".

Respectfully submitted,

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Version with Markings to Show Changes Made

Claims 2 and 5 have been amended as follows:

2. A method for preparing isolated biologically active glycosylated human tumor necrosis factor, comprising

(a) ligating DNA encoding human TNF or a physiologically active variant thereof to a replicable expression vehicle to obtain a replicable recombinant DNA comprising said DNA and said replicable expression vehicle;

(b) transforming eukaryotic cells with said replicable recombinant DNA to form transformants;

(c) culturing said transformants to cause said transformants to express said glycosylated human tumor necrosis factor; and

(d) isolating said glycosylated human tumor necrosis factor from the cultured transformants.

5. A pharmaceutical composition ~~comprising~~ consisting essentially of an effective amount of biologically active glycosylated human tumor necrosis factor and at least one pharmaceutically acceptable carrier, diluent, or excipient.